

**Case Summary**  
**Office of the Judge Advocate General**

**DEFENDANT:** LAC Mporashima  
**TYPE OF PROCEEDING:** Defence Force Magistrate  
**DATE OF TRIAL:** 15 November 2024  
**VENUE:** RAAF Base Amberley, QLD

**Charges and plea**

	<b>Statement of Offence</b>	<b>Plea</b>
Charge 1	DFDA, s. 61(3) and Criminal Code Act 1995, s. 135.2(1) Obtaining a financial advantage	Withdrawn
Alternative to Charge 1	DFDA, s. 56(4) Recklessly making false or misleading statement in relation to application for benefit	Guilty
Charge 2	DFDA, s. 61(3) and Criminal Code Act 1995, s. 135.2(1) Obtaining a financial advantage	Withdrawn
Alternative to Charge 2	DFDA, s. 56(4) Recklessly making false or misleading statement in relation to application for benefit	Withdrawn
Charge 3	DFDA, s. 61(3) and Criminal Code Act 1995, s. 135.2(1) Obtaining a financial advantage	Withdrawn
Alternative to Charge 3	DFDA, s. 56(4) Recklessly making false or misleading statement in relation to application for benefit	Withdrawn

**Pre-Trial: Closed hearing and non-publication orders**

Application made:	No.
Determination:	Not Applicable.

**Trial: Facts and legal principles**

At the hearing the prosecution made application to withdraw a number of charges and amend the particulars of one. The applications had the effect of rolling the original Alternative to Charge 1, Alternative to Charge 2 and Alternative to Charge 3 into one charge (Amended Charge 1) with all other charges withdrawn.

The case proceeded by way of a guilty plea.

**Findings**

	<b>Finding</b>
Charge 1	Guilty

**Sentencing: Facts and legal principles**

The prosecution case was that the offender on various dates between 28 January 2022 and 03 October 2023 recklessly appropriated 460 meals from two different Defence base messes by selecting a meal option to which he was not entitled. The meals amounted to a value of \$3,116.75 and the offender had repaid the entire amount as at time of sentence.

- *This summary is not intended to be a substitute for the reasons of the Service tribunal or to be used in any later consideration of the tribunal's reasons.*

In mitigation of punishment, the Defending Officer highlighted the offender's otherwise good character, early plea of guilty, genuine remorse, repayment of the total value of meals appropriated and continued good performance in the workplace.

The DFM held that the minimum punishment required to satisfy the principles of general deterrence and maintenance of good order and discipline in the Defence Force was a partly suspended fine to be paid in instalments coupled with a reprimand.

### **Punishments and orders**

Charge 1	To be fined \$2000. Pursuant to DFDA s.79 the Tribunal orders the suspension of \$1000 of the fine imposed. Pursuant to DFDA s.85 the Tribunal orders the sum of \$1000 be paid in ten equal instalments. To be reprimanded.
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### **Outcome on automatic review**

The Reviewing Authority's decision on automatic review was handed down on 13 December 2024.

	<b>Conviction</b>	<b>Punishments / Orders</b>
Charge 1	Upheld	Upheld

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